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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/564,255

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Richard Ganley

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10/28/2008

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EXAMINER

MONIKANG, GEORGE C

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

10/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/564,255	Applicant(s) GANLEY ET AL.	
	Examiner GEORGE C. MONIKANG	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) 5, 13-16, 24 and 50-52 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-12, 17-23, 25-49, 53-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/564,255.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/10/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 7/14/2008 have been fully considered but they are not persuasive.
2. With respect to the applicant's arguments that it would not have been obvious to use a wireless microphone because there exists components in the Ashida et al reference are not wireless. Examiner maintains his stand. The other non wireless components of Ashida et al do not make it less advantageous to utilize wireless microphones since they will still enable the system to have less wiring.
3. With respect to applicants argument that it is not obvious for the color of the character string to be the same as the other information. The examiner maintains his stands. It would have been obvious to use the same color for the character string and the other information to create better visuals.

Response to Amendment

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2614

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 3-4, 6-12, 17, 19-20, 22, 26-27, 29-32, 34-38, 40-47 & 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, in view of Motohashi, US Patent Pub. 2003/0220123 A1, and further in view of Ito et al, JP 2003-102074. (The Ito et al reference is cited in IDS filed 1/10/2006)

Art Unit: 2614

4. Re Claim 1, Ashida et al discloses a microphone communication system comprising: one or more controllers each having network interface for coupling to a network (fig. 1; col. 1, lines 10-35); and one or more receivers each having a network interface and each configured to receive a radio wave from a transmitter of a corresponding microphone (fig. 1; col. 1, lines 10-35); wherein the one or more receivers are coupled to the one or more controllers via the network (fig. 1; col. 1, lines 10-35); each controller is coupled to a corresponding display device (fig. 1; col. 1, lines 10-35); each controller receives, from the one or more receivers, through the network, each controller causes the received information of the receiver to be displayed on the corresponding display device (fig. 1; col. 1, lines 10-35); each controller is coupled to a corresponding input device (fig. 1; col. 1, lines 10-35); but fails to disclose each controller receiving a character string from the corresponding input device and sends the character string to at least one other controller through the network (Motohashi, para 0040: radio communication); and each controller causes the character string received from the corresponding input device to be displayed on a display device along with the received information (Motohashi, para 0040: moving picture, still picture and character strings) as taught in Motohashi. It would have been obvious to modify the microphone communication system of Ashida et al with the ability to display character strings along with other information of Motohashi for the purpose of creating a dynamic system. The combined teachings of Ashida et al and Motohashi fail to disclose information indicative of a status corresponding to one or more of the microphones, the information including the battery power as taught in Ito et al (Ito et al, abstract). It would have been obvious to

Art Unit: 2614

modify the microphone communication system of Ashida et al and Motohashi with the ability to display information such as the power capacity of Ito et al for the purpose of being able to observe the power levels of the battery. Though the combined teachings of Ashida et al, Motohashi and Ito et al fail to disclose the character strings received from other controllers to be displayed on the corresponding display device together with the received information, it would have been obvious to one of ordinary skill in the art to use a plurality of controllers to control the plural of voice signals converted to electrical signals and displayed as character strings on a display device of Motohashi for the purpose of being able to efficiently transmit input signals.

5. Ashida et al, Motohashi and Ito et al do not disclose the microphone being wireless nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone and a LAN network to make the system more efficiently with less wiring and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

6. Claim 3 has been analyzed and rejected according to claim 1.

7. Re Claim 4, the combined teachings of Ashida et al, Motohashi and Ito et al disclose the wireless microphone communication system according to claim 1, wherein; each controller determines whether or not the status indicated by the received information is not higher than a predetermined level (*Motohashi, para 0005*); and each controller creates an alarm message and causes the alarm message to be displayed on

Art Unit: 2614

the corresponding display device if the status indicated by the received information is not higher than the predetermined level (Motohashi, para 0005: alarm message created when the battery level is below a level).

8. Re Claim 6, the combined teachings of Ashida et al, Motohashi and Ito et al disclose the wireless microphone communication system according to claim 1, wherein the character string is displayed on the display device as being associated with a portion of the information received from the receivers (Motohashi, para 0040: moving picture, still picture and character strings); and the character string is information relating to a one of the one or more microphones whose status is indicated by the portion of the information received from the receivers (Motohashi, para 0040).

9. Re Claim 7, which further recites, "Wherein the character string is displayed to have a color corresponding to the portion of the information received from the receivers." Though the combined teachings of Ashida et al, Motohashi and Ito et al do not disclose a color corresponding to portion of the information received from the receivers, it would have been obvious to use the same color for the character strings and the still pictures of Motohashi (Motohashi, para 0040: moving picture, still picture and character strings) since this is commonly done (e.g. tv captions that have the same colors as the pictures) for the purpose of creating a more pleasurable visual image.

10. Re Claim 8, the combined teachings of Ashida et al, Motohashi and Ito et al disclose the wireless microphone communication system according to claim 6, wherein the character string is located on the display device in the vicinity of the portion of the

Art Unit: 2614

information received from the receivers (Motohashi, para 0040: moving picture, still picture and character strings).

11. Re Claim 9, the combined teachings of Ashida et al, Motohashi and Ito et al disclose the wireless microphone communication system according to claim 1, wherein each receiver receives a control signal from one of the controllers and sends to the corresponding microphone a command causing the corresponding wireless microphone to change a condition according to the control signal (Ashida et al, fig. 1; col. 1, lines 10-35: there are 2 sets of controls that control information based on the incoming signal).

12. Re Claim 10, which further recites, "Wherein the controller is configured by a computer." Ashida et al, Motohashi and Ito et al do not disclose the controller being configured by a computer as claimed. Official notice is taken that both the concepts and advantages of using a computer to control the controller are well known in the art. Thus it would have been obvious to use a computer since they are commonly used to process and distribute information.

13. Re Claim 11, the combined teachings of Ashida et al, Motohashi and Ito et al disclose the wireless microphone communication system according to claim 10, wherein one application program running on each computer causes the character string received from the corresponding input device and the character strings received from other computers to be displayed on one window of the corresponding display device together with the received information (Ashida et al, fig. 1; col. 1, lines 10-35: each controller causes its information to be showed on its respective display).

Art Unit: 2614

14. Re Claim 12, the combined teachings of Ashida et al, Motohashi and Ito et al disclose the wireless microphone communication system according to claim 1, further comprising: a television camera; and wherein the television camera is coupled to the network (*Ashida et al, fig. 1; col. 1, lines 10-35*); and an image from the television camera is displayed on the display device of each controller together with the received information (*Ashida et al, fig. 1; col. 1, lines 10-35*).

15. Ashida et al, Motohashi and Ito et al do not disclose the microphone being wireless nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone and a LAN network to make the system more efficiently with less wiring and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

16. Claim 17 has been analyzed and rejected according to claim 1.

17. Claims 20 & 22 have been analyzed and rejected according to claims 1 & 4.

18. Claim 19 has been analyzed and rejected according to claim 1.

19. Claims 26-27 have been analyzed and rejected according to claim 6.

20. Claims 29-32 have been analyzed and rejected according to claim 9.

21. Claims 34-38 have been analyzed and rejected according to claim 10.

22. Claims 40-47 have been analyzed and rejected according to claim 12.

23. Claim 54 has been analyzed and rejected according to claim 4.

24.

25. Claims 2, 18, 21, 25, 28, 33, 39 & 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, Motohashi, US Patent Pub. 2003/0220123 A1, Ito et al, JP 2003-102074, and further in view of Todd, US patent 5,072,442. (The Ito et al reference is cited in IDS filed 1/10/2006)

26. Re Claim 2, Ashida et al discloses a microphone communication system comprising: one or more controllers each having network interface for coupling to a network (fig. 1; col. 1, lines 10-35); and one or more receivers each having a network interface and each configured to receive a radio wave from a transmitter of a corresponding microphone (fig. 1; col. 1, lines 10-35); wherein the one or more receivers are coupled to the one or more controllers via the network (fig. 1; col. 1, lines 10-35); each controller is coupled to a corresponding display device (fig. 1; col. 1, lines 10-35); each controller receives, from the one or more receivers, through the network, each controller causes the received information of the receiver to be displayed on the corresponding display device (fig. 1; col. 1, lines 10-35); each controller is coupled to a corresponding input device (fig. 1; col. 1, lines 10-35); but fails to disclose each controller receiving a character string from the corresponding input device and sends the character string to at least one other controller through the network (Motohashi, para 0040: radio communication); and each controller causes the character string received from the corresponding input device to be displayed on a display device along with the received information (Motohashi, para 0040: moving picture, still picture and character strings) as taught in Motohashi. It would have been obvious to modify the microphone

Art Unit: 2614

communication system of Ashida et al with the ability to display character strings along with other information of Motohashi for the purpose of creating a dynamic system. The combined teachings of Ashida et al and Motohashi fail to disclose information indicative of a status corresponding to one or more of the microphones, the information including the battery power as taught in Ito et al (*Ito et al, abstract*). It would have been obvious to modify the microphone communication system of Ashida et al and Motohashi with the ability to display information such as the power capacity of Ito et al for the purpose of being able to observe the power levels of the battery. The combined teachings of Ashadi et al, Motohashi and Ito et al also fail to disclose one or more controllers that have the network interfaces and are not coupled to the receiver as taught in Todd (*Todd, fig. 8: 55*) for the purpose of limiting interference between the communication system. Though the combined teachings of Ashida et al, Motohashi, Ito et al and Todd fail to disclose the character strings received from other controllers to be displayed on the corresponding display device together with the received information, it would have been obvious to one of ordinary skill in the art to use a plurality of controllers to control the plural of voice signals converted to electrical signals and displayed as character strings on a display device of Motohashi for the purpose of being able to efficiently transmit input signals.

27. Ashida et al, Motohashi and Ito et al do not disclose the microphone being wireless nor the network being an LAN network. Official notice is taken that both the concepts and advantages of providing a wireless microphone and a LAN network are well known in the art. Thus it would have been obvious to use a wireless microphone

Art Unit: 2614

and a LAN network to make the system more efficiently with less wiring and to be able to use the system in small geographic areas such as office buildings, schools etc to transmit radio waves.

28. Claim 18 has been analyzed and rejected according to claims 2 & 17.

29. Claim 21 has been analyzed and rejected according to claims 1-2.

30. Claim 25 has been analyzed and rejected according to claims 2 & 6.

31. Claim 28 has been analyzed and rejected according to claims 2 & 9.

32. Claim 33 has been analyzed and rejected according to claims 2 & 10.

33. Claim 39 has been analyzed and rejected according to claims 2 & 12.

34. Claim 53 has been analyzed and rejected according to claims 2 & 4.

35. Claims 23 & 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, Motohashi, US Patent Pub. 2003/0220123 A1, Ito et al, JP 2003-102074, and further in view of Kawasaki et al, US Patent 7,054,625 B2.
(The Ito et al reference is cited in IDS filed 1/10/2006)

Re Claim 23, Ashida et al and Levinson et al disclose the wireless microphone communication system according to claim 20, determining that the detected RF level is not higher than the predetermined level, the controller that receives the image causes the image to be stored (*Motohashi, para 0039: memory; para 0005: alarm message created when the battery level is below a level*); but fails to disclose a time measuring means; wherein the controller that receives the image information receives time

Art Unit: 2614

information from the time measuring means as taught in Kawasaki et al (Kawasaki, col. 4, lines 58-67) for the purpose of calculating the elapsed time of the signal.

Claim 49 has been analyzed and rejected according to claim 23

36. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ashida et al, US Patent 5,003,532, Motohashi, US Patent Pub. 2003/0220123 A1, Ito et al, JP 2003-102074, Todd, US patent 5,072,442, and further in view of Kawasaki et al, US Patent 7,054,625 B2. (The Ito et al reference is cited in IDS filed 1/10/2006)

37. Claim 48 has been analyzed and rejected according to claims 2, 20 & 23.

38.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE C. MONIKANG whose telephone number is (571)270-1190. The examiner can normally be reached on M-F. alt Fri. Off 7:30am-5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George C Monikang/
Examiner, Art Unit 2614

10/25/2008

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2614